

## Article - Tax - General

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§7-218.

- (a) In this section, “small business” means a firm that:
  - (1) is independently owned and operated;
  - (2) is not a subsidiary of another firm;
  - (3) is not dominant in its field of operation; and
  - (4) in its most recently completed fiscal year, did not employ in its operations more than 25 individuals.
- (b) On application of a person responsible for paying the inheritance tax and subject to § 13-601 of this article, the Comptroller may allow an alternative payment schedule for the inheritance tax, not exceeding a 5-year period, if payment of the tax on the due date would require the sale of a small business or any interest in a small business that passes from a decedent.
- (c) A person may apply for an alternative payment schedule by filing with the Comptroller an application on the form and in the manner that the Comptroller requires.
- (d) The payment schedule may be in the form of:
  - (1) a payment deferral; or
  - (2) an installment payment plan.
- (e) (1) For each alternative payment schedule allowed under subsection (b) of this section, the Comptroller shall specify the procedures and guidelines, including:
  - (i) conditions of eligibility; and
  - (ii)
    - 1. amount and duration of any payment deferral; or
    - 2. amount of and scheduled time for any installment payments.

(2) If the Comptroller denies an application for an alternative payment schedule, the Comptroller shall mail a notice of the denial to the applicant.

(f) For each alternative payment schedule allowed under subsection (b) of this section, the Comptroller shall give the appropriate register notice of:

(1) the grant;

(2) the procedures and guidelines specified under subsection (e)(1) of this section; and

(3) the responsibilities of the register for receipt of payments.

(g) If an alternative payment schedule is allowed under subsection (b) of this section, the person responsible for paying the inheritance tax shall pay the tax in accordance with the schedule.

(h) The Comptroller shall adopt procedures to provide notice about the availability of alternative payment schedules under this section.

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